

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE EXPORT-IMPORT BANK OF THE REPUBLIC OF	:	
CHINA,	:	13 Civ. 1450 (HB)
	:	
Plaintiff/Judgment Creditor,	:	
	:	
- against -	:	
	:	
GRENADA,	:	
	:	
Defendant/Judgment Debtor.	:	
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**DECLARATION OF BOAZ S. MORAG
IN SUPPORT OF
DEFENDANT GRENADA’S MOTION FOR JUDGMENT ON THE PLEADINGS**

Pursuant to 28 U.S.C. § 1746, Boaz S. Morag declares as follows:

1. I am an attorney admitted to practice before this Court and Counsel at Cleary Gottlieb Steen & Hamilton LLP (“Cleary Gottlieb”), attorneys for defendant Grenada in this matter. I submit this declaration on behalf of Grenada in support of its Motion for Judgment on the Pleadings Dismissing Plaintiff’s Complaint.

2. Attached to this declaration as Exhibits A-Q are true and correct copies of the following documents, each of which has previously been filed with the Court:

<u>Ex.</u>	<u>Document</u>
A	Letter of Paul Summit to Hon. Harold Baer, Jr., dated Mar. 7, 2013 (“Relatedness Letter”);
B	Complaint, <i>The Export-Import Bank of the Republic of China v. Grenada</i> , No. 06-cv-2469(HB) (S.D.N.Y. Mar. 29, 2006) (“Action One Compl.”);

<u>Ex.</u>	<u>Document</u>
C	Answer, <i>The Export-Import Bank of the Republic of China v. Grenada</i> , No. 06-cv-2469(HB) (S.D.N.Y. June 26, 2006) (“Action One Answer”);
D	Offering Memorandum, <i>Grenada Offer to Exchange New Bonds for Eligible Claims</i> , dated Sept. 9, 2005, excerpts of which were attached as Exhibit L to the Declaration of Paul E. Summit In Support of Motion By The Export-Import Bank Of The Republic Of China For An Order To Show Cause Why A Preliminary Injunction Should Not Issue, With A Temporary Restraining Order, dated Mar. 14, 2013 (“Summit Decl.”);
E	Order Granting Summary Judgment, <i>The Export-Import Bank of the Republic of China v. Grenada</i> , No. 06-cv-2469(HB) (S.D.N.Y. Feb. 6, 2007);
F	Judgment, <i>The Export-Import Bank of the Republic of China v. Grenada</i> , No. 06-cv-2469(HB) (S.D.N.Y. Feb. 6, 2007);
G	Plaintiff’s Memorandum Of Law In Support Of Motion To Amend The Judgment And For Attorneys’ Fees And Costs, <i>The Export-Import Bank of the Republic of China v. Grenada</i> , No. 06-cv-2469(HB) (S.D.N.Y. Feb. 20, 2007);
H	Amended Judgment, <i>The Export-Import Bank of the Republic of China v. Grenada</i> , No. 06-cv-2469(HB) (S.D.N.Y. Mar. 16, 2007);
I	Promissory Note dated Aug. 8, 1990 (“First Promissory Note”), which was attached as Ex. 5 to the Declaration Of Emily A. Samuels In Support Of Plaintiff’s Motion For Summary Judgment, <i>The Export-Import Bank of the Republic of China v. Grenada</i> , No. 06-cv-2469(HB) (S.D.N.Y. Dec. 21, 2006) (“Samuels Decl.”);
J	Promissory Note dated Apr. 29, 1997 (“Second Promissory Note”), which was attached as Ex. 7 to the Samuels Decl.;
K	Promissory Note dated Nov. 17, 1997 (“Third Promissory Note”), which was attached as Ex. 9 to the Samuels Decl.;
L	Promissory Note dated Nov. 15, 2000 (“Fourth Promissory Note”), which was attached as Ex. 11 to the Samuels Decl.;
M	Plaintiff’s Memorandum Of Law In Support Of Its Motion For Summary Judgment, <i>The Export-Import Bank of the Republic of China v. Grenada</i> , No. 06-cv-2469(HB) (S.D.N.Y. Dec. 21, 2006);

<u>Ex.</u>	<u>Document</u>
N	Loan Agreement (Loan No. 6020216001) dated July 27, 1990 (“First Loan Agreement”), which was attached as Ex. 4 to the Samuels Decl.; ¹
O	Loan Agreement (Loan No. 6020216002) dated Apr. 24, 1997 (“Second Loan Agreement”), which was attached as Ex. 6 to the Samuels Decl.;
P	Loan Agreement (Loan No. 6020216003) dated Oct. 1, 1997 (“Third Loan Agreement”), which was attached as Ex. 8 to the Samuels Decl.;
Q	Loan Agreement (Loan No. 6020216004) dated Jan. 21, 2000 (“Fourth Loan Agreement”), which was attached as Ex. 10 to the Samuels Decl.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 17, 2013 in New York, New York.

/s/ Boaz S. Morag
BOAZ S. MORAG

¹ The four Loan Agreements are also attached as Exhibits B-E to the Summit Decl. filed in this action.